



## Referral Summary Page

**Date:** Tuesday, August 06, 2013

**Prepared by:** Meghan Sloan

**To:** All Greater Bridgeport Region Chief Elected Officials, Planning Directors and Economic Development Directors

Referral ID	Referral Type	Description	Applicant	Date Received	Hearing Date	Staff Finding/ Recommendation
Easton #94	Zoning text amendments	Special Exceptions for pre-existing farm and forest activities	Town of Easton P&Z Commission	7/22/13	8/26/13	No regional impact. Click here for full report. Click here for response.
Milford #156	Zoning text amendments	Various Zoning Regulations text changes	City of Milford P&Z Commission	7/12/13	8/20/13	No regional impact. Click here for full report. Click here for response.
Monroe #151	Zoning Regulation rewrite/revision	Zoning Regulation rewrite/revision	Town of Monroe P&Z Commission	7/22/13	8/26/13	No regional impact. Click here for full report. Click here for response.
Shelton #155	Zoning text amendment	Moratorium on Medical Marijuana	City of Shelton P&Z Commission	7/17/13	8/26/13	No regional impact. Click here for full report. Click here for response.
Weston #6	Zoning text amendment	Farm stands as a permitted accessory use	Town of Weston P&Z Commission	7/26/13	September (TBD)	No regional impact. Click here for full report. Click here for response.
Westport #314	Zoning text amendment	Traffic analysis and safety requirements	Town of Westport P&Z Commission	8/1/13	9/2/13	No regional impact. Click here for full report. Click here for response.

*Staff at the Greater Bridgeport Regional Council (GBRC) prepares referrals on behalf of the GBRC. To facilitate a coordinated and collaborative findings and recommendations process, please contact GBRC staff at your earliest convenience if you have any questions, comments, or objections to the recommendations of the staff. If no questions, comments or objections to staff recommendation have been received within ten days of the receipt of the original referral, the findings and recommendations in this report shall be submitted in their current form.*

## Zoning & Subdivision Regulations Referral

**Date:** Tuesday, August 06, 2013

**Prepared by:** Meghan Sloan

### Referral Information:

<b>Referral ID:</b> Easton #94	<b>Date Received:</b> 7/22/2013
<b>Referral Type:</b> Zoning Regulations	<b>Hearing Date:</b> 8/26/2013
<b>Applicant:</b> Maple Row Farm LLC c/o Attorney Peter V. Gelderman	
<b>Description:</b> Special Exceptions for pre-existing farm and forest activities	

### Review Criteria (*explanations below*):

1. Is the referral compatible with adopted plans & policies of the...	Y/N	2. Does the referral have the potential to cause conflicts with or impacts on...	In adjacent municipalities (Y/N)	Throughout the GBR (Y/N)
a. Region?		a. Existing land uses?	N	N
b. Municipality?	Y	b. Existing zoning?	N	N
c. Adjacent GBR municipalities?		c. Density?	N	N
		d. Traffic generation?	N	N
d. Connecticut's C&D Policies Plan?	Y	f. Public safety?	N	N
		g. Environmental quality?	N	N
3. Does the referral have the potential to cause adverse environmental impacts to the habitat & ecosystem of Long Island Sound?				N

**Summary:** The Town of Easton's Planning and Zoning Commission is in receipt of an application to modify the Zoning Regulations that pertain to Special Exceptions for pre-existing farm and forest activities (7.12). A similar amendment had been referred to the GBRC in April of 2013. At a May 29th public hearing, the application was withdrawn. The revised application specifies (and defines) the "concrete and substantial" relationship that the entity and property owner must have and includes provisions for the containment of dyes on the property.

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**Details:**

- The proposed amendment would modify the type of entity, residency requirement and activities eligible for a Special Exception for pre-existing farm and forest activities (7.12.2, proposed):
  - For an entity “*such as a corporation, partnership or limited liability company, the residency requirement shall be deemed to be satisfied if the principals or owner of such corporation, partnership or limited liability company or similar entity have a substantial and concrete relationship with an owner or owners of the property on which the established pre-existing farm or forestry activities exists*” (a). A “concrete and substantial” relationship is defined as either of the following:
    - The property owner collectively controls at least 50% of the entity engaging in the use.
    - The use results in a direct financial benefit to the pre-existing farm or forest use that the Commission determines will contribute to the continued use of the property for such farm or forestry activities.
  - “*The use of dyes or coloring agents to be applied to mulch, chips or similar materials*” with the following conditions (b):
    - Dyes or coloring agents were not produced or manufactured on-site.
    - Appropriate measures to ensure dyes are adequately contained on-site.
    - Allows for the Commission to limit the quantity of dyes that may be stored on-site.
- A Special Exception is required for pre-existing farm and forest activities. Requirements for a Special Exception are as follows (7.12):
  - The established farming or forestry related use has been in existence and actively operated at the same site over a period at least five years prior to August 28, 2003.
  - Each proposed use is a unique case (a).
  - Evaluated by the Commission in terms of compatibility with the neighborhood, traffic generation, effects on public water supply watershed and the natural environment of the site and the benefit to the community (a).
  - The Commission may specify unique setbacks, hours of operation, dense screening and specific controls to address lighting, noise, dust, odors, traffic and other effects as necessary to protect the neighborhood (a).
  - Will expire or be renewed no later than 48 months after the site plan approval (b), or as stated under 7.2.5 (attached).
- Section 7.12.2 currently allows for “*The processing and sale of forest and tree products, such as firewood, leaf mulch, brush and bark chips, maple syrup, orchard fruits, and similar consumable or biodegradable products of a character native to Connecticut, specifically excluding bulk sawmills and any process which results in refined chemical or manufactured products; provided a complete description of all activities, materials used*

*and end products shall be supplied to the Commission for its determination of appropriateness within a rural residential environment; further provided that such use shall be located on a site of at least seven acres and be conducted exclusively by the residents thereof.”*

**Staff Finding/Recommendation (draft response):** No regional impact is anticipated from the proposed zoning text amendment.



## EASTON PLANNING & ZONING COMMISSION

225 CENTER ROAD  
EASTON, CT., 06612

Via e-mail and certified mail  
Receipt# 70100290000140213886

July 22, 2013

Greater Bridgeport Regional Council  
525 Water Street  
Bridgeport, CT 06604-4902  
Attn: Brian Bidolli, AICP, Exec. Dir.

Referral per CT General Statute; Section 8-7d.:  
Proposed Amendments to the Easton Zoning Regulations

Dear Mr. Bidolli:

The Easton Planning and Zoning Commission has scheduled a public hearing to be held at 7:30PM, August 26, 2013 at the Easton Town Hall, Conference Room A, 225 Center Road, Easton, CT, to consider applications to amend the Easton Zoning Regulations as follows:

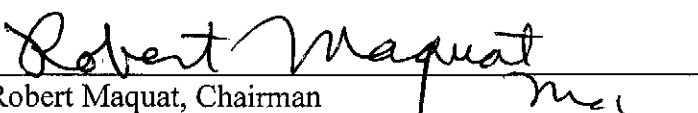
Amending Section 7.12. of the Easton Zoning Regulations, SPECIAL EXCEPTION FOR PRE-EXISTING FARM AND FOREST ACTIVITIES, subsection 7.12.2 concerning processing and sale of forest and tree products. The amendment would authorize the residency requirement of this section to be met by principals or owners of such corporation, partnership, LLC or other entity having a "concrete and substantial relationship" with the owner or owners of the property and allow for the sale of colored mulch, chips or similar materials provided coloring agents are not produced on the site and provided appropriate measures are taken to ensure that the dyes are adequately contained on site.

A copy of the proposed regulations and introductory explanation of purpose is attached.

Any response or questions regarding this proposal may be directed to the attention of the Planning and Zoning Commission at Easton Town Hall at the above address. Our office hours are Tuesday through Friday, 10:30A.M. to 3:00P.M and Mondays, 1:00P.M. to 5:30P.M. The Phone # is (203) 268-6291 and the e-mail is [manania@eastonct.gov](mailto:manania@eastonct.gov).

Very truly yours,

EASTON PLANNING AND ZONING COMMISSION

  
Robert Maquat, Chairman

RM:ma  
Enclosures

LEGAL NOTICE

EASTON, CT

The Easton Planning and Zoning Commission will conduct a public hearing August 26 2013 at 7:30PM at the Easton Town Hall Conference Room, 225 Center Road on the following proposed amendment to the Easton Zoning Regulations:

Amend Section 7.12 of the Easton Zoning Regulations, SPECIAL EXCEPTION FOR PRE-EXISTING FARM AND FOREST ACTIVITIES, subsection 7.12.2 concerning processing and sale of forest and tree products. The amendment would authorize the residency requirement of this section to be met by principals or owners of such corporation, partnership, LLC or other entity having a "concrete and substantial relationship" with the owner or owners of the property and allow for the sale of colored mulch, chips or similar materials provided coloring agents are not produced on the site and provided appropriate measures are taken to ensure that the dyes are adequately contained on site.

A copy of each proposed amendment is on file at the office of the Town Clerk.

By Robert Maquat, Chairman, Planning and Zoning Commission

LAW OFFICES  
QUATRELLA & RIZIO, LLC  
ONE POST ROAD  
POST OFFICE BOX 320019  
FAIRFIELD, CONNECTICUT 06825  
(203) 255-9928

FAX (203) 255-6618

**RECEIVED**

JUL 18 2013

MICHAEL T. DOLAN  
PETER V. GELDERMAN<sup>o</sup>  
ROBERT G. GOLGER  
MICHAEL C. JANKOVSKY  
DAVID K. KURATA  
KATHERINE M. MACOL  
WILLIAM M. PETROCCIO+  
DAVID L. QUATRELLA\*  
RAYMOND RIZIO+  
<sup>o</sup>ALSO ADMITTED IL BAR  
\* ALSO ADMITTED PA AND NJ BARS  
+ ALSO ADMITTED NY BAR

July 18, 2013

Planning and Zoning Commission  
Town of Easton  
225 Center Road  
Easton, CT 06824

By email to [manania@eastonct.gov](mailto:manania@eastonct.gov)

**Re: Proposed Amendment to Section 7.12.2 of the Easton Zoning Regulations**

Dear Margaret:

Attached, please find a proposed amendment to Section 7.12.2 of the Easton Zoning Regulations.

Mr. Edwards will be delivering the application fee of \$500.00 to your office prior to the meeting of July 22, 2013.

Thank you for your consideration.

Best regards,  
Pete  
Peter V. Gelderman

**PROPOSED AMENDMENT TO SECTION 7.12.2 OF THE EASTON ZONING REGULATIONS**

7.12.2 (NEW SENTENCES TO BE ADDED TO THE END OF THE EXISTING PROVISION). (a) Notwithstanding the residency requirement set forth in this Section 7.12.2, where the property being utilized for the uses described in this Section 7.12.2 is owned by an entity such as a corporation, partnership or limited liability company, the residency requirement shall be deemed to be satisfied if the principals or owners of such corporation, partnership, limited liability company or similar entity have a substantial and concrete relationship with an owner or owners of the property on which the established pre-existing farm or forestry activities exists. For purposes of this section a "concrete and substantial relationship" shall mean either (i) that an owner or owners of the property with an established farming or forestry related use shall collectively control at least fifty (50%) percent of the entity engaging in the uses described in this Section 7.12.2 or (ii) that the uses described in this Section 7.12.2 shall result in a direct financial benefit to the pre-existing farm or forest use that, in the Commission's sole determination, will contribute to the continued use of the property for such farm or forestry activities.

(b) Nothing in this Section 7.12.2 shall prevent the use of dyes or coloring agents applied to mulch, chips or similar materials, provided that such dyes or coloring agents are not produced or manufactured on-site and further provided that appropriate measures shall be taken to ensure that the dyes are adequately contained on site. In addition, a limit on the quantity of on-site storage of such dyes may be established by the Commission based on factors that the Commission may deem relevant to protect public health, safety and welfare.

**RECEIVED**

JUL 18 2013





# GBRC

Greater Bridgeport Regional Council

Bridgeport • Easton • Fairfield • Monroe • Stratford • Trumbull

August 6, 2013

Mr. Robert Maquat, Chair  
Planning and Zoning Commission  
Town of Easton  
225 Center Road  
Easton, CT 06612

Re: Special Exceptions for pre-existing farm and forest activities.

Dear Mr. Maquat,

We are in receipt of the above referenced referral dated July 22, 2013.

The Greater Bridgeport Regional Council reviewed the proposed zoning text amendments regarding Special Exceptions for pre-existing farm and forest activities. The Council does not anticipate a regional impact from the proposed zoning text amendments.

If you have any questions, please do not hesitate to contact me at 203-366-5405.

Sincerely,

Brian Bidolli  
Executive Director

cc: Mr. John Hayes, Town Planner c/o Ms. Margaret Anania, P&Z Clerk  
Maple Row Farm LLC c/o Attorney Peter V. Gelderman

## Zoning & Subdivision Regulations Referral

**Date:** Tuesday, August 06, 2013

**Prepared by:** Meghan Sloan

### Referral Information:

<b>Referral ID:</b> Milford #156	<b>Date Received:</b> 7/12/13
<b>Referral Type:</b> Zoning Regulations	<b>Hearing Date:</b> 8/20/13
<b>Applicant:</b> City of Milford Planning and Zoning Commission	
<b>Description:</b> Various Zoning Regulations text changes	

### Review Criteria (*explanations below*):

1. Is the referral compatible with adopted plans & policies of the...	Y/N	2. Does the referral have the potential to cause conflicts with or impacts on...	In adjacent municipalities (Y/N)	Throughout the GBR (Y/N)
a. Region?		a. Existing land uses?	N	N
b. Municipality?		b. Existing zoning?	N	N
c. Adjacent GBR municipalities?		c. Density?	N	N
		d. Traffic generation?	N	N
d. Connecticut's C&D Policies Plan?		f. Public safety?	N	N
		g. Environmental quality?	N	N
3. Does the referral have the potential to cause adverse environmental impacts to the habitat & ecosystem of Long Island Sound?				N

**Summary:** The City of Milford's Planning and Zoning Commission is considering amendments and revisions to several sections of the City's Zoning Regulations. Most of the proposed changes are of an administrative nature and/or are in regard to zoning permits, special permits, special exceptions, public hearings, variances or review by the Planning and Zoning Commission.

*Staff at the Greater Bridgeport Regional Council (GBRC) prepares referrals on behalf of the GBRC. To facilitate a coordinated and collaborative findings and recommendations process, please contact GBRC staff at your earliest convenience if you have any questions, comments, or objections to the recommendations of the staff. If no questions, comments or objections to staff recommendation have been received within ten days of the receipt of the original referral, the findings and recommendations in this report shall be submitted in their current form.*

**Details:**

- Currently, any home occupation in One Family Residential Districts that does not meet certain standards (3.1.3.2) may be permitted by a Special Permit and on a trial basis, for a length of time determined by the Board. The proposed change would remove the trial basis condition.
  - The proposed change would apply to Section 3.1.3.3, “Accessory Uses.”
  - A Special Permit would still be required. The generation of excessive traffic, the tranquility of the immediate area, the residential character of the site and that the principal single family structure is not altered are additional conditions for a Special Permit (for this type of use).
- Design Office Parks (Lot and Building Requirements, 3.6.4.3):
  - Changes terms from “*a division or divisions of land*” to “*multiple parcels*” as comprising a Design Office Park,
  - Adds a requirement that the Office Park development, as a whole, comply with setbacks, lot coverage, minimum building area and floor area, off-street parking and off-street loading requirements (rather than each separate parcel), by Special Permit, and with additional conditions.
- Removes requirement for a public hearing for a change of regulated use in the interior space of a building in a Waterfront Design District (3.13.2.10). Provisions that remain include:
  - The use is listed in Section 3.13.2 (Special Use) or 3.13.3 (Accessory Use).
  - No exterior structural changes to the existing building shall be made in connection with the changed use.
  - Requests for a change of use are in accordance with Section 8.8.2 (Change of Use).
- Removes Section 3.21.3.3, “Accessory Buildings or Uses for Principal Hotels or Motels,” as there are no hotels/motels in the Milford Center Design Development District (MCDD).
- A proposed rewrite of Section 4.1.4.3 “Projections into Required Yards.” The proposed rewrite would allow for a zoning permit to be issued for an increase in the height of dwellings regulated under Flood Hazard and Flood Damage Prevention (5.8), as well as minimal stairway and/or landing extensions when the dwelling does not conform to yard requirements.
  - Specifies that the building may not be relocated without a variance.
  - Refers to applicable zone for building height requirements.
- Supplemental Standards/Alcoholic Liquor Regulations for Outdoor Entertainment decks (5.5.8): The proposed amendment would remove the requirement that new owners re-apply for a special permit.
- Route One Interconnecting Driveway Access (5.17): A minor text change which removes “waive” for “*need not apply.*” The result is as follows “*In instances where the Board*

*deems this interconnecting driveway access appropriate, any parking and landscape computation requirements that would have been required in the location of the easement need not apply.”*

- Removes “shall” for “may” under Nonconforming Uses; Variance (6.2.4). The result is as follows: *“Notwithstanding Sections 6.2.1, 6.2.2 and 6.2.3, a Variance may be granted in accordance with ARTICLE IX, SECTION 9.2.2 Variances to extend, enlarge, or alter any legal non-conforming lot, structure or use.”*
- 6.3.3 Nonconforming Structures; Replacement: Specifies that existing commercial structures in the MCDD and CDD-2 may be replaced whether or not they conform to the zone’s yard and building standards.
  - The current regulation does not specify the MCDD and CDD-2 zones nor does it specify commercial structures.
  - Conditions (that are not proposed to change) include a requirement that the floor area is not increased and off street parking and loading are not reduced.
- Removes term “Zoning Enforcement Officer” and replaces with “City Planner” for the following:
  - “Planning/Zoning Board” (7.1.1.7): to read as follows: *“Applications for Site Plan amendments shall be made to the City Planner in the same manner as the original application.”* The amendment would also remove the term “of a material nature.”
  - “Amendments” (7.2.10) to read as follows: *“Applications for Special Permit amendments shall be made to the City Planner in the same manner as the original application...”*
- Changes the time frame and process for Special Permits (7.2.2 and 7.2.3) and Special Exceptions (7.3.4 and 7.3.5):
  - Specifies that a public hearing must commence within 65 days after the receipt of the application. Removes the provision for a public hearing to be held 130 days after the application.
  - Specifies that the “date of receipt” of an application is the day of the next regularly scheduled meeting immediately following submission of the application, or 35 days after the date of the submission (whichever is sooner).
  - Specifies that a public hearing must be concluded within 35 days after opening and that the Planning and Zoning Board must make a decision within 65 days after the close of the public hearing.
  - Allows the applicant to consent to one or more extensions of up to 65 days.
  - The following changes are proposed for the Special Permits sections 7.2.2 and specifically:
    - Removes language concerning a placard for the Special Permit and public hearing (7.2.2).

- Removes extensions for Board approval (7.2.3). The conditions for Board approval do not change, but are integrated into 7.2.2. Conditions include conformance with Plan of Conservation and Development, pedestrian and vehicular traffic and type of development.
  - Removes Section 7.3.4, which allowed for the Board to require periodic renewal of a Special Exception.
- Changes the requirements for an application for a Zoning Permit (8.3):
  - Removes the requirement for an application to be submitted in duplicate.
  - Increases the number of plot plans from two to three.
  - Adds a provision for the Zoning Enforcement Officer to require a survey.
- Increases the number of approved application copies the Zoning Enforcement Officer returns to the applicant from one to two (8.5).
- Removes the twelve month deadline for variances for nonconforming structures or uses, if the structure or use has not commenced (9.2.2.4).
- Prohibited Variances (9.2.3) – removes language that explicitly prohibits any uses not allowed for in the underlying zone, and adds language that prohibits *“Any use variance that is detrimental to the community’s public health, safety and general welfare.”* (9.2.3(1)).
- Modifies the definition of an attic to include *“uninhabitable”* and defines *“uninhabitable”* as *“a space not used for living purposes, which includes working, sleeping, eating, cooking, or recreation or a combination thereof”*.
- In One Family Residential Districts, adds conditions to the provision that allows for the use of an accessory building as a residence by a person employed by the occupant, for household and domestic management purposes (3.1.5.2, Prohibited Uses). Conditions are as follows:
  - An affidavit shall be signed by the property owner, occupant of the principal dwelling, and the occupant Accessory Building residence stating that the Accessory Building is being occupied by a person employed to work at the property for the purpose of Household and Domestic Management. This affidavit shall be filed on the Milford Land Records.
  - At any time there is a new owner, occupant of the principal dwelling, or occupant of the Accessory Building, a new affidavit shall be executed and recorded on the land records.

**Staff Finding/Recommendation (draft response):** No regional impact is anticipated from the proposed zoning text amendment.

## Meghan Sloan

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**From:** Phyllis Leggett <PLeggett@ci.milford.ct.us>  
**Sent:** Friday, July 12, 2013 2:57 PM  
**To:** Meghan Sloan  
**Cc:** Mark Bender; David Sulkis; Joseph Griffith  
**Subject:** Milford Planning & Zoning Proposed Regulation Changes  
**Attachments:** Zoning Regulation Changes Phase One Final Clean Copy (2).docx sent to COG.DOCX

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Meghan,

With regard to our telephone conversation this morning, attached are the proposed regulation changes the Milford Planning and Zoning Board is considering making to the Zoning Regulations.

Thank you for distributing this information to the proper parties in the Bridgeport Council.

If you have any questions on these regulations or the format, please let me know.

Thank you.

*Phyllis*

Phyllis Leggett  
Administrative Assistant  
Planning and Zoning Division and  
Department of Permitting and Land Use  
70 West River Street  
Milford, CT 06460  
(203) 783-6670

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## Zoning Regulation Changes by Section

Deleted language is in ~~striketrough~~.

New Language is in **bold**.

Sections that have been rewritten are in *italics*.

1. **3.1.3.3 Single-Family District; home occupation:** Any home occupation which does not meet the standards of Section 3.1.3.2(1) - (9) may be permitted ~~or permitted on a trial basis by the Board by Special Permit, the length of which shall be determined by the Board,~~ provided that it is determined that:
  - (1) Excessive traffic shall not be generated, and
  - (2) The tranquility of the immediate area shall not be unduly disturbed, and
  - (3) The residential character of the site and principal single family structure is not altered.
2. **3.6.4.3 Division of Land:** A Special Permit for a Design Office Park ~~in this district~~ may include or may be amended to permit **multiple parcels** ~~a division or divisions of the land~~ comprising the Design Office Park. Each separate parcel need not comply with frontage, setbacks, lot coverage, minimum building area and floor area, off-street parking and off-street loading requirements of the Zoning Regulations, provided **the development, as a whole, does comply with those requirements, and further provided that:**
  - (1) All of the parcels continue to function as integrated parts of the approved Design Office Park; and
  - (2) Adequate provision is made for ingress and egress to and from a public highway; and
  - (3) Adequate provision is made for parking; and
  - (4) Adequate provision is made for the care and maintenance of the entire Design Office Park, which care and maintenance provision shall be recorded on the land records of the City of Milford.
3. **3.13.2.10 Waterfront Design District:** A change in the use of interior space of an existing building in a Waterfront Design District shall not require either an amendment to a Special Permit and/or Site Plan Approval provided that such use is listed in Section 3.13.2 or 3.13.3 and further provided that no exterior structural changes to the existing building shall be made in connection with such changed use. ~~and further provided that a public hearing shall be required for all uses regulated by this section (indoor places of entertainment and other similar indoor uses).~~ Requests for change of use to be considered under the provisions of this section shall be in accordance with Section 8.8.2 Change of Use.

4. **3.21.3.3 Delete this regulation. There are no hotels/motels in the MCDD.**

5. ~~4.1.4.3 Notwithstanding the provisions of ARTICLE VI, Section 6.3 of these Regulations, a zoning permit may be issued to allow the height of an existing structure to be increased when said dwelling does not conform to current required yards caused by adoption of subsequent zoning regulations, subsequent to the dwelling's construction. The provisions of the prior sentence shall also include the minimal stairway/landing extensions necessitated if the building is being raised to comply with the flood hazard provisions of Section 5.8. This section shall not apply to any building additions erected in violation of the zoning regulations attached garages, porches, accessory buildings or structures, or structures and additions which have received approval from the Zoning Board of Appeals. [Rewritten below]~~

*4.1.4.3 General Regulations: Notwithstanding the provisions of ARTICLE VI, Section 6.3 of these Regulations, a zoning permit may be issued to allow the height of an existing dwelling in an area regulated under the provisions of Section 5.8, Flood Hazard and Flood Damage Prevention, to be increased along with minimal stairway/landing extensions when said dwelling does not conform to required yards caused by the adoption of zoning regulations, subsequent to the dwelling's construction. However, such dwelling may not be relocated on the lot without a variance, if required. Building height shall follow the height regulations of the applicable zone.*

6. **5.5.8 Outdoor entertainment decks** may be permitted by Special Permit in accordance with ARTICLE VII provided all of the following criteria are met:

- (1) Decks must be constructed in accordance with all appropriate setbacks without variances.
- (2) Entertainment on the outside deck must be strictly limited to pre-recorded music via permanently mounted speakers attached to main building. Live entertainment such as musical bands, of any variety, disc jockeys or the like are prohibited. Volume of said music shall not exceed the level of normal personal conversation (i.e., background music).
- (3) The tranquility of the surrounding area is not violated. The Planning & Zoning Board reserves the right to review all Special Permits issued under this section in order to insure that the aforementioned criteria is consistently adhered to by the applicant.

~~New owners must re-apply for a Special Permit before commencing any activities relating to this section.~~

7. **Section 5.17 ROUTE ONE INTERCONNECTING DRIVEWAY ACCESS**

In instances where the Board deems this interconnecting driveway access appropriate, ~~the Board shall waive~~ any parking and landscape computation requirements that would have been required in the location of the easement **need not apply**.



8. **6.2.4 Nonconforming Uses; Variance:** Notwithstanding Sections 6.2.1, 6.2.2 and 6.2.3, a Variance **may** be granted in accordance with ARTICLE IX, SECTION 9.2.2 Variances to extend, enlarge, or alter any legal non-conforming lot, structure or use.
9. **6.3.3 Nonconforming Structures; Replacement:** Any existing **commercial** structure in the MCDD and CDD-2 which does not have sufficient off street parking or loading spaces to comply with these Regulations may be replaced **whether or not it conforms to the yard and building regulations for the zone in which it is located. The replacement structure** ~~by a new structure provided that the replacement structure shall contain no more floor area than the existing structure. and further provided that~~ The amount of existing off-street parking and loading space and lot area available for off-street parking or loading **shall not be** ~~is not~~ reduced, nor the requirements therefore increased by a new use.
10. **7.1.1.7 Planning/Zoning Board:** Amendments: Applications for Site Plan amendments of ~~a material nature shall be made to the Zoning Enforcement Officer~~ **City Planner** in the same manner as the original application.
11. **7.2.2 Public Hearing:** ~~The Board shall hold a public hearing on all applications for Special Permit within 65 days of the date of acceptance of application or within 130 days if consented to by the applicant, in accordance with State Statutes; and give notice of such hearing as required by law. (1) In addition, the applicant shall, at least twelve (12) days prior to said hearing, prominently post and maintain a placard prescribed by the Board on the site for which the Special Permit is requested. Article VII – Planning and Zoning Board, continued. Milford, Connecticut Zoning Regulations Page VII 19~~  
~~(2) If the site is a corner lot or a through lot, both streets will be titled in the legal notice.~~  
  
**7.2.3 Board Action:** ~~The Board shall approve, modify and approve, or disapprove such application for a Special Permit within 65 days of the date of public hearing, unless an extension of time is consented to by the applicant in accordance with State Statutes. Failure of the Board to act within such time period shall be deemed approval. The decision of the Board shall be published in accordance with State Statutes. In approving the application, the Board may place conditions on such approval and shall consider, in addition to the criteria of Section 7.1.3, the following:~~  
  

~~(1) Plan of Conservation and Development: That the proposed Site Plan shall be in general conformance with the intent and purpose of the current Plan of Conservation and Development of the City of Milford.~~

~~(2) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous, inconvenient or detrimental to or conflict with the flow of traffic in~~

the neighborhood; and

~~(3) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, the location and height of buildings, structures, walls and fences, and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, or impair the value thereof. [Rewritten below]~~

#### **7.2.2 Special Permit. General Procedures: Application, Public Hearing, Voting.**

*In all matters wherein an application is made to the Planning and Zoning Board for a Special Permit a Public Hearing shall commence within 65 days after the receipt of the application. The date of receipt shall be the day of the next regularly scheduled meeting immediately following the day of submission or 35 days after such submission, whichever is sooner.*

*Once opened, the public hearing must be concluded within 35 days. A decision must be made within 65 days of the close of the Public Hearing. The Board shall approve, modify and approve or disapprove such Special Permit. The decision of the Board shall be published in accordance with State Statutes.*

*The applicant may consent to one or more extensions of any period specified in this section, provided the total extension of all such periods shall not be for longer than 65 days, or may withdraw such application.*

*In approving the application, the Board may place conditions on such approval and shall consider the following:*

*(1) Plan of Conservation and Development: That the proposed Site Plan shall be in general conformance with the intent and purpose of the current Plan of Conservation and Development of the City of Milford.*

*(2) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous, inconvenient or detrimental to or conflict with the flow of traffic in the neighborhood; and*

*(3) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, the location and height of buildings, structures, walls and fences, and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, or impair the*

value thereof.

12. ~~7.2.8 Expiration:~~ Any authorized Special Permit for which construction has not commenced or which is not otherwise put into effect within a period of one year shall become null and void, unless an extension of time is applied for by the applicant and granted by the Board.
13. **7.2.10 Amendments:** Applications for Special Permit amendments shall be made to the Zoning Enforcement Officer **City Planner** in the same manner as the original application; except that amendments which are found to be of a minor nature or which do not materially alter either the Special Permit or Site Plan, as determined by the Board, may be authorized after Board review only, in lieu of Section 7.2.2 herein.
14. ~~7.3.5~~ The Board shall hold a public hearing on all applications for Special Exception within 65 days of the date of acceptance of application or within 130 days if consented to by the applicant, in accordance with State Statutes; and given notice of such hearing as required by law. [Rewritten below]

**7.3.5 Special Exceptions. General Procedures: Application, Public Hearing, Voting.**

*In all matters wherein an application is made to the Planning and Zoning Board for a Special Exception a Public Hearing shall commence within 65 days after the receipt of the application. The date of receipt shall be the day of the next regularly scheduled meeting immediately following the day of submission or 35 days after such submission, whichever is sooner.*

*Once opened, the public hearing must be concluded within 35 days. A decision must be made within 65 days of the close of the Public Hearing. The Board shall approve, modify and approve or disapprove such Special Exception. The decision of the Board shall be published in accordance with State Statutes.*

*The applicant may consent to one or more extensions of any period specified in this section, provided the total extension of all such periods shall not be for longer than 65 days, or may withdraw such application.*

15. ~~7.3.4~~ The Planning and Zoning Board may require that Special Exceptions be periodically renewed with a time period prescribed by the Planning and Zoning Board. Any approval shall commence within one year from date of issuance unless the Planning and Zoning Board grants an extension of time.
16. **SECTION 8.3 APPLICATION FOR ZONING PERMIT**  
Application for a zoning permit shall be submitted to the Zoning Enforcement Officer prior to construction, reconstruction, extension, enlargement, moving or alteration of any building, or other structure and prior to the use or occupancy of any land, building or other structure. The application shall be submitted in duplicate and shall be

accompanied by ~~a two or more~~ **three copies of a scaled plot plan. A survey may be required by the Zoning Enforcement Officer.** ~~copies, as required by the Zoning Enforcement Officer, of a layout or plot plan drawn to scale.~~

**17. SECTION 8.5 APPROVAL OF APPLICATION FOR ZONING PERMIT**

The Zoning Enforcement Officer shall approve an application for a Zoning Permit to allow the construction, reconstruction, extension, enlargement, moving or alteration of any building or other structure and/or to allow the use or occupancy of any land, building, or other structure after he determines that all requirements of these Regulations have been met. The Zoning Enforcement Officer shall approve or disapprove all applications within a reasonable time, and shall forthwith return ~~one~~ **two copies** ~~copy~~ of the approved application to the applicant for submission to the Building Inspector. In the event the Zoning Enforcement Officer shall disapprove an application for a Zoning Permit, he shall, at the request of the applicant; set forth in writing the reasons for such disapproval.

**18. ~~9.2.2.4~~ That any variance hereafter granted for a nonconforming use or structure shall become null and void twelve months after such granting, if such nonconforming use or structure shall not have commenced.**

**19. 9.2.3 Prohibited Variances**

~~(1) Except to the extent uses are not otherwise allowed in one underlying zone, use variances are explicitly prohibited.~~

**(1) Any use variance that is detrimental to the community's public health, safety and general welfare.**

(2) No application to vary any Site Plan requirement imposed by the Planning & Zoning Board shall be accepted by the Zoning Board of Appeals.

(3) No application to perform new construction or substantial improvements (as defined) to any dwelling with a lowest floor elevation below the regulatory flood protection shall be accepted by the Zoning Board of Appeals.

**20. 11.2 Other Terms**

Attic: "An unfinished **and uninhabitable** space between the roof framing or a building and the ceilings of the rooms below. Unfinished means a space that is not heated and/or cooled, does not contain finished floors (tile, linoleum, hardwood, etc), does not have sheet-rocked walls and does not have any amenities such as furniture, appliances, bathrooms, fireplaces and other items that identify it as living space. Uninhabitable means a space not used for living purposes, which includes working, sleeping, eating, cooking, or recreation or a combination thereof".

- 21. 3.1.5.2** The use of an accessory building for residence purposes, except by persons employed by the occupant of the premises for the purpose of household and domestic management of the premises.

**An affidavit shall be signed by the property owner, occupant of the principal dwelling, and the occupant Accessory Building residence stating that the Accessory Building is being occupied by a person employed to work at the property for the purpose of Household and Domestic Management. This affidavit shall be filed on the Milford Land Records.**

**At any time there is a new owner, occupant of the principal dwelling, or occupant of the Accessory Building, a new affidavit shall be executed and recorded on the land records.**



# GBRC

Greater Bridgeport Regional Council

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August 6, 2013

Mr. Mark Bender, Chairman  
Planning and Zoning Commission  
City of Milford  
70 West River Street  
Milford, Connecticut 06460-3317

Re: Various Zoning Regulations text changes

Dear Mr. Bender:

We are in receipt of the above referenced referral dated July 12, 2013.

The Greater Bridgeport Regional Council reviewed the proposed amendments to the City's Zoning Regulations regarding zoning permits, special permits, special exceptions, public hearings, variances or review by the Planning and Zoning Commission. No regional impact is anticipated from this change.

If you have any questions, please do not hesitate to contact me at 203-366-5405.

Sincerely,

Brian Bidolli  
Executive Director

cc: Mr. David B. Sulkis, AICP, City Planner, City of Milford

## Zoning & Subdivision Regulations Referral

**Date:** Tuesday, August 06, 2013

**Prepared by:** Meghan Sloan

### Referral Information:

<b>Referral ID:</b> Monroe #151	<b>Date Received:</b> 7/29/2013
<b>Referral Type:</b> Zoning Regulations	<b>Hearing Date:</b> 8/28/13
<b>Applicant:</b> Town of Monroe Planning and Zoning Commission	
<b>Description:</b> Substantial Revision of Zoning Regulations	

### Review Criteria (*explanations below*):

1. Is the referral compatible with adopted plans & policies of the...	Y/N	2. Does the referral have the potential to cause conflicts with or impacts on...	In adjacent municipalities (Y/N)	Throughout the GBR (Y/N)
a. Region?		a. Existing land uses?	N	N
b. Municipality?	Y	b. Existing zoning?	N	N
c. Adjacent GBR municipalities?	Y	c. Density?	N	N
		d. Traffic generation?	N	N
d. Connecticut's C&D Policies Plan?	Y	f. Public safety?	N	N
		g. Environmental quality?	N	N
3. Does the referral have the potential to cause adverse environmental impacts to the habitat & ecosystem of Long Island Sound?				N

**Summary:** The Town of Monroe's Planning and Zoning Commission is considering substantial revisions to the Town's Zoning Regulations. The Town Planner for Monroe provided some details about the changes. This review focuses on the changes discussed with the Town Planner and the zones within 500 feet of a neighboring Greater Bridgeport Region municipality. The draft regulations may be reviewed via <http://www.monroect.org/zoningregulation.aspx>. A zoning map from the Town's 2010 *Plan of Conservation and Development* is also included in this referral. Some changes may have occurred since 2010.

*Staff at the Greater Bridgeport Regional Council (GBRC) prepares referrals on behalf of the GBRC. To facilitate a coordinated and collaborative findings and recommendations process, please contact GBRC staff at your earliest convenience if you have any questions, comments, or objections to the recommendations of the staff. If no questions, comments or objections to staff recommendation have been received within ten days of the receipt of the original referral, the findings and recommendations in this report shall be submitted in their current form.*

**Details:**

- Currently, a Special Permit is required for all non-residential uses in the Town. The proposed revision will allow for certain uses through a Site Plan Review (Article 7). Performance standards and design requirements such as setbacks, lot area and size, building height and site appearance do not change.
- Zoning Districts within 500 feet of a neighboring GBRC municipality that have substantive changes to their use classifications include:
  - The Limited Office District will be changed to the Limited-Office Retail District (5.1). Retail and restaurant uses will be allowed as a permitted use.
  - Design Industrial Districts 1 and 3 are changed to Industrial Districts 1 and 3 (4.3).
    - Proposed principal permitted uses include offices, certain types of manufacturing plants (food products, bottling, packaging and pharmaceuticals), research and development laboratories and commercial storage.
    - Uses allowed by a Special Exception include certain types of assembly and manufacturing plants (such as electrical appliances and chemical products), recreation facilities, medical/dental offices, wholesale nurseries and outside storage of materials.
    - Additional Special Exception uses are specific to each Industrial District.
  - Design Business District 1 changed to Business District 1 (4.1):
    - Current use classes include 1, B, C, D, E, F, G, I, J, K, L Y. Special Exception Permits are currently required for all changes of use from one class to another and/or Class A uses.
    - The proposed rewrite would simplify use classifications to Principal Permitted Uses, Special Exception Uses and Accessory Uses.
- Residential and Farming Districts C and D are within 500 feet of a neighboring GBRC municipality. Changes in names to Residential and Farming Districts 1 (3.1) and 2 (3.2) are proposed. Permitted and special exception permit uses do not have substantive changes.
- A streamlined process for “minor applications” (7.1.3) is proposed. This process would apply to applications such as a change of use with minimal site disturbance, a change where a new building or addition is not proposed or a minor alteration to a building.
- The proposed regulations are easier to read and more organized than the current zoning regulations.

**Staff Finding/Recommendation (draft response):** No regional impact is anticipated from the proposed rewrite of these Zoning Regulations.





**TOWN OF MONROE**  
Planning and Zoning Commission

July 29, 2013

Greater Bridgeport Regional Council  
Megan Sloan  
Bridgeport Transportation Center  
525 Water Street  
Bridgeport, CT 06604-4902

Referral per CGS §8-3b.:  
Proposed Revise/Updates to the Town of Monroe Zoning Regulations

Dear Ms. Sloan,

The Town of Monroe Planning and Zoning Commission has scheduled a public hearing to be held at 7:00pm, August 28, 2013 at Masuk High School Auditorium, 1014 Monroe Turnpike, Monroe, CT, to consider amendments to the Town of Monroe Zoning Regulations consisting of a substantive revision/update of the entire code.

A copy of the proposed new Zoning Regulations is enclosed. Any response or questions regarding this proposal may be directed to the attention of:

Planning and Zoning Commission  
Town of Monroe  
7 Fan Hill Road  
Monroe, CT 06468

Or via email: [wagresta@monroect.org](mailto:wagresta@monroect.org)

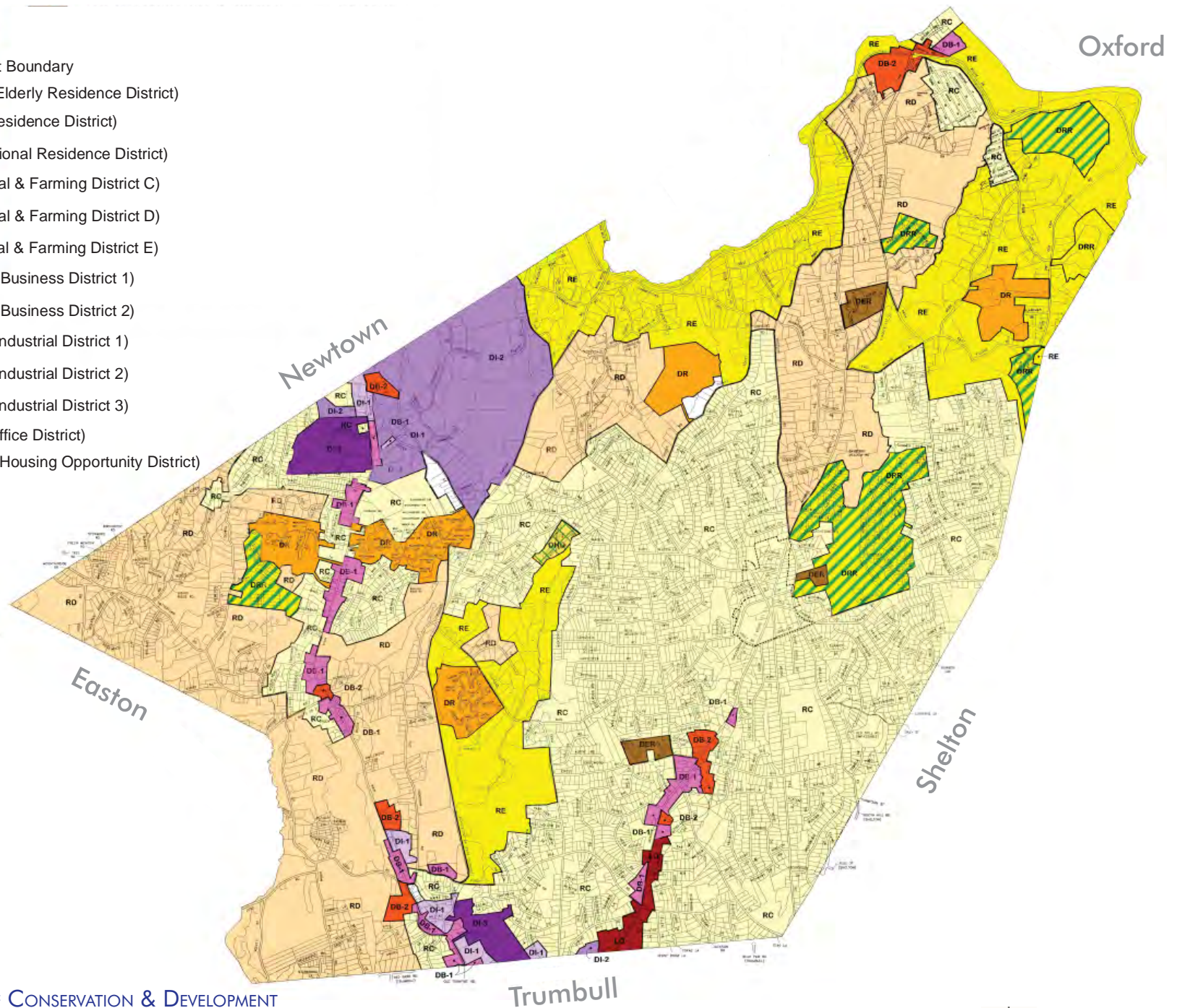
Respectfully,

  
\_\_\_\_\_  
William Agresta, AICP, Town Planner

FIGURE 3.2: ZONING

## Legend

- Historic District Boundary
- DER (Design Elderly Residence District)
- DR (Design Residence District)
- DRR (Recreational Residence District)
- RC (Residential & Farming District C)
- RD (Residential & Farming District D)
- RE (Residential & Farming District E)
- DB-1 (Design Business District 1)
- DB-2 (Design Business District 2)
- DI-1 (Design Industrial District 1)
- DI-2 (Design Industrial District 2)
- DI-3 (Design Industrial District 3)
- LO (Limited Office District)
- DHO (Design Housing Opportunity District)



MONROE PLAN OF CONSERVATION & DEVELOPMENT

MONROE, CT

SOURCES: MONROE PLANNING & ZONING DEPARTMENT;  
MONROE ENGINEERING DEPARTMENT, 2010



NTS

Note: Information shown on this map is approximate and should only be used for general planning purposes.



# GBRC

Greater Bridgeport Regional Council

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August 6, 2013

Mr. Patrick J. O'Hara, Chairman  
Monroe Planning and Zoning Commission  
Monroe Town Hall  
7 Fan Hill Road  
Monroe, Connecticut 06468

Re: Substantial Revision of Zoning Regulations

Dear Mr. O'Hara:

We are in receipt of the above referenced referral dated July 29, 2013.

The Greater Bridgeport Regional Council reviewed the proposed rewrite of the Town of Monroe's Zoning Regulations. No regional impacts are anticipated from the proposed rewrite.

If you have any questions, please do not hesitate to contact me at 203-366-5405.

Sincerely,

Brian Bidolli  
Executive Director

cc: Mr. William Agresta, Planning and Zoning Administrator, Town of Monroe

## Zoning & Subdivision Regulations Referral

**Date:** Tuesday, August 06, 2013

**Prepared by:** Meghan Sloan

### Referral Information:

<b>Referral ID:</b> Shelton #155	<b>Date Received:</b> 7/17/2013
<b>Referral Type:</b> Zoning Regulations	<b>Hearing Date:</b> 8/26/2013
<b>Applicant:</b> City of Shelton Planning and Zoning Commission	
<b>Description:</b> Moratorium on Medical Marijuana	

### Review Criteria (*explanations below*):

1. Is the referral compatible with adopted plans & policies of the...	Y/N	2. Does the referral have the potential to cause conflicts with or impacts on...	In adjacent municipalities (Y/N)	Throughout the GBR (Y/N)
a. Region?	N/A	a. Existing land uses?	N	N
b. Municipality?	N/A	b. Existing zoning?	N	N
c. Adjacent GBR municipalities?	N/A	c. Density?	N	N
		d. Traffic generation?	N	N
d. Connecticut's C&D Policies Plan?	N/A	f. Public safety?	N	N
		g. Environmental quality?	N	N
3. Does the referral have the potential to cause adverse environmental impacts to the habitat & ecosystem of Long Island Sound?				N

**Summary:** The City of Shelton's Planning and Zoning Commission is considering an amendment to the City's Zoning Regulations that would place a nine month moratorium on medical marijuana dispensaries and producers.

*Staff at the Greater Bridgeport Regional Council (GBRC) prepares referrals on behalf of the GBRC. To facilitate a coordinated and collaborative findings and recommendations process, please contact GBRC staff at your earliest convenience if you have any questions, comments, or objections to the recommendations of the staff. If no questions, comments or objections to staff recommendation have been received within ten days of the receipt of the original referral, the findings and recommendations in this report shall be submitted in their current form.*

**Details:**

- The proposed amendment would be added to Section 23, “Permitted Uses,” under the “Prohibited Uses” subsection (23.2).
- The moratorium would apply to all zones in the City of Shelton.
- The nine month moratorium period commences on the date that the Commissioner of the State of Connecticut’s Department of Consumer Protection (DCP) adopts the “Regulations Concerning Palliative Use of Marijuana.” The proposed regulations were submitted to the Legislative Regulation Review Committee on June 21, 2013. Approval of this Committee is required before adoption. More information can be found at <http://www.ct.gov/DCP/cwp/view.asp?a=4287&q=503670>
- The proposed amendment refers to P.A. 12-55 (an Act Concerning the Palliative Use of Marijuana” for definitions of “Dispensary” and “Producer.”)

**Staff Finding/Recommendation (draft response):** No regional impact is anticipated from this change.

**PLANNING AND ZONING COMMISSION, CITY OF SHELTON**

**54 Hill Street, Shelton, CT 06484 (203) 924-1555 EXT. 361**

**Ruth Parkins – Chairman**

**Richard D. Schultz, AICP – Planning and Zoning Administrator**

**email: r.schultz@cityofshelton.org**

**ZONING/PLANNING REFERRAL TRANSMITTAL**

Date: July 17, 2013

TO: Brian Bidolli, Exec. Director

FROM: SHELTON PLANNING AND ZONING COMMISSION

BY: Richard D. Schultz, AICP

PROPOSAL/PROJECT: Moratorium on Medical Marijuana Dispensaries and

Producers

The subject proposal/project is referred to you by the Shelton Planning and Zoning Commission in accordance with the indicated provisions of the Connecticut General Statutes. A general description of the proposal/project is enclosed, but should you require additional information, please contact this office at 924-1555, extension 361.

- (X ) Section 8-3b Notice to Regional Planning Agency of Proposed Zone or Zone Use Change.
- ( ) Section 8-3h Applications for projects within 500 feet of the City Line or with significant impacts on adjacent Town (traffic, drainage, etc.).
- ( ) Section 8-23f Plan of Conservation and Development.
- ( ) Section 8-26b Subdivisions abutting the City Line.
- ( ) Section 8-26f Projects within 500 feet of the City Line or with significant impacts on adjacent Town.
- ( ) Section 22a-104e Zoning Regulations, Plan of Conservation and Development and other changes within the designated Coastal Area.
- ( ) Section 22a-105 Coastal Site Plan Reviews

A public hearing/meeting on the subject proposal/project has been scheduled for Aug. 28, 2013

at 7:00 P.M. at the Shelton City Hall.

Attachments: Moratorium Document

# **SHELTON PLANNING AND ZONING COMMISSION**

## **Proposed Zoning Regulations Amendment**

### **Concerning A Moratorium on Medical Marijuana Dispensaries and Producers**

**Draft Dated: July 10, 2013**

**Amend SECTION 23 – PERMITTED USES by adding a new paragraph for the purposes of establishing a nine (9) month moratorium on Medical Marijuana dispensaries and producers which Paragraph would read as follows:**

**23.2.4 Medical Marijuana Dispensaries and Producers: Notwithstanding any provision contained herein to the contrary, for a period of nine (9) months commencing with the effective date of regulations adopted by the Commissioner of Consumer Protection in accordance with Chapter 54 providing for the licensure and standards for producers and dispensaries in the State of CT, no Application will be accepted, considered or approved to permit the establishment of Medical Marijuana dispensaries and producers, whether or not determined to be allowed under Schedule A-Permitted Uses, in any zoning districts of the City of Shelton. For the purpose of this Paragraph, a Dispensary or Licensed Dispensary is defined as a dispensary pursuant to Section 9 of Public Act #12-55 and a Producer or Licensed Producer as defined as a producer pursuant to Section 10 of Public Act #12-55.**





# GBRC

Greater Bridgeport Regional Council

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August 6, 2013

Ms. Ruth Parkins, Chairman  
Planning and Zoning Commission  
City of Shelton, Shelton City Hall  
54 Hill Street  
Shelton, CT 06484

Re: Zoning Text Amendment, Moratorium on Medical Marijuana

Dear Ms. Parkins:

We are in receipt of the above referenced referral dated July 17, 2013.

The Greater Bridgeport Regional Council reviewed the proposed text amendment that would place a nine month moratorium on medical marijuana dispensaries and producers. No regional impact is anticipated from the proposed amendment.

If you have any questions, please do not hesitate to contact me at 203-366-5405.

Sincerely,

Brian Bidolli  
Executive Director

cc: Mr. Richard D. Schultz, Planning and Zoning Administrator, City of Shelton  
Mr. Rick Dunne, Executive Director, Valley Council of Governments



## Zoning & Subdivision Regulations Referral

**Date:** Tuesday, August 06, 2013

**Prepared by:** Meghan Sloan

### Referral Information:

<b>Referral ID:</b> Weston #6	<b>Date Received:</b> 7/26/13
<b>Referral Type:</b> Zoning Regulations	<b>Hearing Date:</b> September (TBD)
<b>Applicant:</b> Weston Planning and Zoning Commission	
<b>Description:</b> Farm stands as a permitted accessory use	

### Review Criteria (*explanations below*):

1. Is the referral compatible with adopted plans & policies of the...	Y/N	2. Does the referral have the potential to cause conflicts with or impacts on...	In adjacent municipalities (Y/N)	Throughout the GBR (Y/N)
a. Region?		a. Existing land uses?	N	N
b. Municipality?	Y	b. Existing zoning?	N	N
c. Adjacent GBR municipalities?	Y	c. Density?	N	N
		d. Traffic generation?	N	N
d. Connecticut's C&D Policies Plan?	Y	f. Public safety?	N	N
		g. Environmental quality?	N	N
3. Does the referral have the potential to cause adverse environmental impacts to the habitat & ecosystem of Long Island Sound?				N

**Summary:** The Town of Weston's Planning and Zoning Commission is considering an amendment to the Town's Zoning Regulations that would allow for farm stands as a permitted accessory use in the Two Acre Residential and Farming District.

*Staff at the Greater Bridgeport Regional Council (GBRC) prepares referrals on behalf of the GBRC. To facilitate a coordinated and collaborative findings and recommendations process, please contact GBRC staff at your earliest convenience if you have any questions, comments, or objections to the recommendations of the staff. If no questions, comments or objections to staff recommendation have been received within ten days of the receipt of the original referral, the findings and recommendations in this report shall be submitted in their current form.*

**Details:**

- The proposed amendment would add a section (f) to Section 321.2, Permitted Accessory Uses in the Two Acre Residential and Farming District. The new section would allow for the “*display and sale of farm and garden produce and nursery and greenhouse stock raised on the premises*” with the following conditions:
  - The areas, facilities and intensity of use devoted to the sale of produce remain incidental to the permitted principal farming or residential use of the property.
  - The display and sale may not exceed 400 square feet of ground and/or floor space.
  - If the display/sale area is enclosed, the enclosure will not exceed twelve feet in height.
  - If a permanent structure is principally utilized, a detailed plan the structure and parking area(s) shall be submitted to and approved by the Planning and Zoning Commission, as described in Section 368 (Parking Plan) as follows:
    - adequate size for the use
    - screened with evergreen planting, walls or fences
    - any entrance/exit drive is designed to ensure adequate sight lines and minimize traffic hazards
- Most property in the Town of Weston is located in the Two Acre Residential and Farming District.
- The proposed amendment would also modify the definition of “Farming” (610), to read as follows (changes are in italics): “Farming shall include the use of a lot, either as a principal or accessory use, for the purpose of producing agricultural, horticultural, floricultural, vegetable and fruit products of the soil, and shall include the raising of horses, and other domestic farm animals. Riding academies, livery stables, animal kennels, the breeding, raising or habitation of fur bearing animals, pigs and goats, commercial poultry farms, stands for the sale of produce (*except as otherwise expressly permitted by these Regulations*) or the commercial processing of the products of the farm, shall not be included.”

**Staff Finding/Recommendation (draft response):** No regional impact is anticipated from the proposed zoning text amendment.

## Meghan Sloan

---

**From:** Tracy Kulikowski <tkulikowski@westonct.gov>  
**Sent:** Friday, July 26, 2013 11:56 AM  
**To:** Brian Bidolli; director@hvceo.org  
**Cc:** Meghan Sloan  
**Subject:** Weston Zoning Text Amendment Referral to GBRC and HVCEO  
**Attachments:** RPOReferralLetterZoningAmendmentSection321.2f Farm Stands.doc; Proposed ZR Section 321.2f Farm Stands v2 (7-22-13).doc

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Attached please find a proposed Zoning Regulation Text Amendment drafted by the Weston Planning & Zoning Commission to permit farm stands as a permitted accessory use in the Two Acre Residential and Farming District. The Commission would like to hold its public hearing in September. This has also been sent to the SWRPA Referrals Committee.

Thank you for your assistance. Please do not hesitate to contact me should you have any questions or need any additional information.

Tracy

Tracy D. Kulikowski, AICP  
Land Use Director  
Town of Weston, CT  
(203) 222-2530  
(203)222-2537 (fax)  
[tkulikowski@westonct.gov](mailto:tkulikowski@westonct.gov)

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July 26, 2013

Mr. Brian Bidolli, Executive Director  
Greater Bridgeport Regional Council  
525 Water Street, Suite 1  
Bridgeport, Connecticut 06604

**Via E-Mail:** [bbidolli@gbrc.org](mailto:bbidolli@gbrc.org)  
[msloan@gbrc.org](mailto:msloan@gbrc.org)

Re: Zoning Text Amendments, Town of Weston, CT  
Weston Zoning Regulations – Amendment of Section 321.2f Farm Stands

Dear Mr. Bidolli,

Enclosed please find a proposal for text amendments to Section 321.2f of the Zoning Regulations for the Town of Weston that has been prepared by the Weston Planning & Zoning Commission. The purpose of the amendment is to permit farm stands as a permitted accessory use in the Two Acre Residential and Farming District.

This is a general regulation that would impact property that is within 500 feet of a boundary with another community. The Weston Planning and Zoning Commission would like to open the public hearing on these proposed text amendments on Tuesday, September 3, 2013 or Monday, September 16, 2103.

A copy of Weston's Zoning Regulations is available on the Town's website at <http://www.westonct.gov/media/file/ZoningRegulations9232011.pdf>. Thank you for your cooperation and please do not hesitate to contact me at (203) 222-2530 or [tkulikowski@westonct.gov](mailto:tkulikowski@westonct.gov) should you have any questions or need any additional information.

Sincerely,

Tracy D. Kulikowski, AICP  
Land Use Director

Enclosures

**Weston Planning & Zoning Commission**  
**July 22, 2013**  
**Proposed Regulation Amendment**

*Section 321.2 is amended to insert subsection (f) as follows:*

**321.2 Permitted Accessory Uses:** The following are permitted accessory uses in the Two Acre Residential and Farming District:

- (a) Limited Home Occupation, subject to the terms and conditions of Section 343.
- (b) The keeping of roomers or boarders, subject to the terms and conditions of Section 344.
- (c) Apartment, subject to the terms and conditions of Section 345
- (d) Signs, subject to the terms and conditions of Section 350.
- (e) Customary Accessory Uses.
- (f) *The display and sale of farm and garden produce and nursery and greenhouse stock raised on the premises, provided that the areas, facilities and intensity of use devoted to the sale of produce remain clearly incidental to the permitted principal farming or residential use of the property. In no case shall the area devoted to the display and sale of such products exceed 400 square feet of ground and/or floor space. If enclosed, such enclosure shall not exceed twelve feet in height. To the extent any permanent Structure is principally utilized for the sale of produce a detailed plan for said Structure and the parking area or areas shall be submitted to and approved by the Planning and Zoning Commission in accordance with procedures set forth in Section 368, as being of adequate size for the particular use, suitably screened with evergreen planting, walls or fences, or combinations thereof, and with any entrance/exit drive designed so as to ensure adequate sight lines and minimize traffic hazards.*

*The definition of "Farming" in Section 610 is amended to insert the words "except as otherwise expressly permitted by these Regulations" as follows:*

**Farming:** Farming shall include the use of a lot, either as a principal or accessory use, for the purpose of producing agricultural, horticultural, floricultural, vegetable and fruit products of the soil, and shall include the raising of horses, and other domestic farm animals. Riding academies, livery stables, animal kennels, the breeding, raising or habitation of fur bearing animals, pigs and goats, commercial poultry farms, stands for the sale of produce (*except as otherwise expressly permitted by these Regulations*) or the commercial processing of the products of the farm, shall not be included.



# GBRC

Greater Bridgeport Regional Council

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August 6, 2013

Stephen B. Grozinger, Chair  
Planning and Zoning Commission  
56 Norfield Road  
P.O. Box 1007  
Weston, CT 06833

Re: Zoning Text Amendments, Farm stands as a permitted accessory use

Dear Mr. Grozinger,

We are in receipt of the above referenced referral dated July 26, 2013.

The Greater Bridgeport Regional Council reviewed the proposed amendments to the Town's Zoning Regulations. No regional impact is anticipated from this change.

If you have any questions, please do not hesitate to contact me at 203-366-5405.

Sincerely,

Brian Bidolli  
Executive Director

cc: Ms. Tracy Kulikowski, Land Use Director, Town of Weston



## Zoning & Subdivision Regulations Referral

**Date:** Tuesday, August 06, 2013

**Prepared by:** Meghan Sloan

### Referral Information:

<b>Referral ID:</b> Westport #314	<b>Date Received:</b> 8/1/2013
<b>Referral Type:</b> Zoning Regulations	<b>Hearing Date:</b> 9/2/2013
<b>Applicant:</b> Town of Westport Planning and Zoning Commission	
<b>Description:</b> Traffic analysis and safety requirements	

### Review Criteria (*explanations below*):

1. Is the referral compatible with adopted plans & policies of the...	Y/N	2. Does the referral have the potential to cause conflicts with or impacts on...	In adjacent municipalities (Y/N)	Throughout the GBR (Y/N)
a. Region?		a. Existing land uses?	N	N
b. Municipality?	Y	b. Existing zoning?	N	N
c. Adjacent GBR municipalities?	Y	c. Density?	N	N
		d. Traffic generation?	N	N
d. Connecticut's C&D Policies Plan?	Y	f. Public safety?	N	N
		g. Environmental quality?	N	N
3. Does the referral have the potential to cause adverse environmental impacts to the habitat & ecosystem of Long Island Sound?				N

**Summary:** The Town of Westport's Planning and Zoning Commission is considering amendments to the Town's Zoning Regulations regarding requirements for parking and Traffic Impact Analyses. An attached narrative refers to the need to increase traffic flow volumes and address traffic safety concerns.

*Staff at the Greater Bridgeport Regional Council (GBRC) prepares referrals on behalf of the GBRC. To facilitate a coordinated and collaborative findings and recommendations process, please contact GBRC staff at your earliest convenience if you have any questions, comments, or objections to the recommendations of the staff. If no questions, comments or objections to staff recommendation have been received within ten days of the receipt of the original referral, the findings and recommendations in this report shall be submitted in their current form.*

**Details:**

- Off-Street Parking & Loading (34): Proposes Special Permit approval to determine the requirements for Minimum Parking for “Other Uses” (34.5, table) and Joint Parking (34.8). A process is not currently defined.
- Curbs and Access Drives (34-11.2 of Off-Street Parking & Loading): Proposes new requirements to determine minimum sight distance and Design Speed. Currently, the minimum sight distance is 150 feet for all driveway egress and left turn ingress. The proposed amendment would require the following:
  - For driveways located on a site subject to site plan review and a Traffic Impact Analysis:
    - Minimum sight distance and calculation of design speed based on procedures from ConnDOT’s Highway Design Manual.
    - Design speed would be the 85<sup>th</sup> percentile speed at each driveway, as determined by field measurements.
  - For sites that require a Traffic Impact Analysis, proposes that the sight distance is measured at a point 15 feet from the traveled portion of the road to the center line of the street.
  - Allows the Commission to reduce the sight distance to ten feet if there a potential to lose street trees.
  - Requirements are further detailed in 44-2.5(b) “Requirements for Traffic Impact Analysis.”
- Special Permit and/or Site Plan Documents, Standards and Objectives (44):
  - Proposed changes to the conditions listed under ‘Requirements for a Traffic Impact Analysis:’
    - A project containing 15 or more new residential dwelling units.
    - Any project over 10,000 square feet of gross floor area in a new or expanded building or a group of buildings. The current condition requires a Traffic Impact Analysis for projects over 20,000 square feet of gross floor area and does specify that the requirement may also apply to a group of buildings. The attached narrative explains that the proposed threshold reflects building size limits in many zones and that the current threshold does not reflect the majority of proposed projects.
    - Applicable to any site or adjacent and interrelated sites that exceed the threshold over a five year period
  - The proposed amendments would also require the Traffic Impact Analysis to include additional information, with a provision for the Planning and Zoning Commission to waive any of the requirements. New information includes the following:
    - Clear definition of the project area and study limits agreed to by the Planning and Zoning Commission.



- Vehicle delay (seconds/vehicle) and the average (50<sup>th</sup> percentile) and maximum (95<sup>th</sup> percentile) queue lengths.
- Traffic accidents based on the most recent three year period (the current requirement does not specify a time period).
- Background development projects which may impact the analysis.
- Peak period trip generation on adjacent streets for other projects.
- Trip distribution characteristics of the project. Specific characteristics should include knowledge of existing travel patterns and population and employment zones.
- Existing and projected levels of service, vehicle delay and queue lengths
- Intersection sight distance at the site driveway based on criteria under 34-11.2 and 44-2.5(b).
- Speed study on an adjacent street to determine an 85<sup>th</sup> percentile speed for the intersection's sight distance or the submission of data sufficient to calculate the 85<sup>th</sup> percentile speed from ConnDOT, gathered within the past 18 months.
- Description of planned traffic improvements to mitigate any adverse impacts of the project, as required under 44-2.5(d).
- Access management improvements to consolidate closely spaced driveways, provide driveway separation, existing traffic signals to manage access and to minimize left turn conflicts.
- Pedestrian and bicycle accommodations
- Description of trip reduction and travel demand management options.
- 44-2.5(b): removes design speed of 35 mph to refer to 85<sup>th</sup> percentile design speed at each driveway, as defined by ConnDOT's Highway Design Manual and as determined by field measurements.
- 44-2.5(d): Currently, mitigation measures are required to address Level of Service issues for an intersection as a whole, rather than a single intersection. The proposed amendment would require mitigation measures for single intersections under the following conditions
  - A V/C ratio of .8 is projected.
  - If the Level of Service is already at D, any individual movement to the intersection, 95<sup>th</sup> percentile queue length or any movement that exceeds the available storage length and creates operational problems.

**Staff Finding/Recommendation (draft response):** No regional impact is anticipated from this change.



# WESTPORT CONNECTICUT

## PLANNING & ZONING

TOWN HALL, 110 MYRTLE AVENUE  
WESTPORT, CONNECTICUT 06880  
(203) 341-1030 • (203) 341-1079  
(203) 454-6145 - fax

August 1, 2013

Commissioner, Coastal Area Management  
c/o John Gaucher  
Office of Long Island Sound Programs  
Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

Brian Bidolli, Executive Director  
Greater Bridgeport Regional Council  
525 Water Street  
Bridgeport, CT 06604

Floyd Lapp, FAICP, Director  
SWRPA  
888 Washington Blvd, 3rd Floor  
Stamford, CT 06901

### **RE: Text Amendment #663/P&Z Appl. #13-043, to modify Traffic Regulations**

Dear Sirs:

In accordance with the Connecticut General Statutes §8-3b, I have attached a copy of a proposed zoning text amendment for review and comment by your agency.

The Applicant is Westport Planning and Zoning Commission (PH: 203 341-1030). The proposal is for a text change to modify Westport's existing Zoning Regulations to introduce standards which will increase the margin of safety for sight distances based upon actual travel speeds. The threshold for requiring traffic reports will be revised to be more in line with the regulations in various zoning districts. The current requirement for a traffic study is only applicable when a site is proposed to have 40 new parking spaces or 20,000 square feet of additional floor area. This is inconsistent with the zoning regulations which limit building in some zones (RORD, RPOD & BPD) to a footprint of 2,500 square feet and a maximum building size in other zones (GBD, RBD, BCD, etc.) is 10,000 square feet. Finally, the standard of requiring mitigation only when there is a reduction of Level of Service for an intersection as a whole is not a realistic standard because, often one approach is mitigated at the expense of another to achieve an overall Level of Service that is not reduced.

The application has not yet been scheduled for a public hearing of the Planning and Zoning Commission. Please return written comments referring to the plans by title and date to the P&Z Commission **by September 2, 2013.**

Sincerely,

A handwritten signature in black ink, appearing to read "M Perillie".

Michelle Perillie, AICP  
Planner

Attached:

- Text Change, dated 7/26/13
- Explanatory Statement, dated 7/26/13



**Town of Westport**  
**Planning & Zoning Commission**  
**Town Hall, 110 Myrtle Avenue**  
**Westport, CT 06880**  
**(203) 341-1030 Facsimile (203) 454-6145**

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**MEMORANDUM**

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**TO:** Planning & Zoning Commission

**FROM:** Larry Bradley, Planning & Zoning Director

**DATE:** July 26, 2013

**SUBJECT:** Proposed changes to Traffic Regulations (Amendment #663)

**Brief Description:**

The Planning & Zoning Commission has formed a subcommittee to review traffic analysis and safety requirements. Currently, there are sections of the Westport Zoning Regulation which specify minimum sight distance requirements and requirements for when a Traffic Impact Analysis is required. Further the regulations specify when the Commission may request mitigation of traffic impacts.

The subcommittee is also concerned about the over use of Joint Parking and "Other" parking standards and thus these methods to reduce required parking will now require approval of a Special Permit application.

These proposed changes introduce standards which will increase the margin of safety for sight distances based upon actual travel speeds. The threshold for requiring traffic reports will be revised to be more in line with the regulations in various zoning districts. The current requirement for a traffic study is only applicable when a site is proposed to have 40 new parking spaces or 20,000 square feet of additional floor area. This is inconsistent with the zoning regulations which limit building in some zones (RORD, RPOD & BPD) to a footprint of 2,500 square feet and a maximum building size in other zones (GBD, RBD, BCD, etc.) is 10,000 square feet. Finally, the standard of requiring mitigation only when there is a reduction of Level of Service for an intersection as a whole is not a realistic standard because, often one approach is mitigated at the expense of another to achieve an overall Level of Service that is not reduced.

These changes are based upon the need to address increased traffic safety concerns and increase traffic flow volumes that are generally now too liberal to require any significant mitigation requirements.

**Summary of Regulation Changes**

**§34-5 Parking Requirements Table (OTHER)**

The use of the "Other" parking standard for uses not listed in §34-5 will be subject to a higher level of scrutiny by requiring approval by Special Permit

### §34-8 Joint Parking

The use of the Joint Parking standard listed in §34-8 will be subject to a higher level of scrutiny by requiring approval by Special Permit

### §34-11.2 Curbs and Access Drives

The changes in this section will require sight distances for projects that also require a Traffic Impact Analysis to base their sight distance requirements on actual travel speeds rather than a simple 150 feet linear distance. This change will provide increase the margin of safety based upon actual traffic conditions. One example where this technique was used was when a child care center was proposed at 58 Weston Road.

### §44-2.5 Requirements for Traffic Impact Analysis

The following is a summary of the changes proposed in this section:

- The threshold for requiring a Traffic Impact Analysis will be modified from 20,000 additional square feet of floor area to an increase in floor area of 10,000 square feet or more or the construction of 15 new dwelling units.
- All Traffic Impact Analysis reports will now require an additional speed study to determine the 85<sup>th</sup> percentile speed at each proposed driveway or the submission of data gathered by CT DOT within the past 18 months.
- The sight distance requirement will be changed from a standard sight distance based upon a 35 mph speed or posted speed limit to a more realistic 85<sup>th</sup> percentile speed sight distance.
- The standards whereby the Commission may require mitigation for traffic impacts will be modified from a reduction the Level of Service (LOS) for an intersection as whole to a reduction in the LOS for any movement or approach to an intersection.
- The standards shall apply to any site or adjacent sites that exceed the threshold over a five year period.

The change in the threshold for the Traffic Impact Analysis will be more in keeping with the current zoning limitations for new construction in Westport. The 40 parking space/20,000 square foot requirement is in excess of a majority of projects that come before the P&Z Commission. The new standards will help the Commission better assess the impacts of much greater range of projects.

The change in sight distance requirements will enhance safety as they will be based upon actual travel speeds and not a 35 mph speed. This is based upon the fact that vehicles often travel well above posted speed limits.

The proposed changes to the traffic mitigation limits will now deal with individual intersection movement or approach as opposed to an intersection as a whole. This will give the Commission much greater discretion to require traffic impact mitigation.

**Text Amendment #663 P&Z**

Submitted: 7/26/13

Received: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Revised: \_\_\_\_\_

Adopted: \_\_\_\_\_

Effective date: \_\_\_\_\_

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Deleted language is [~~struck out and in brackets~~]; New language is underlined.

***The following is from §34 – Off Street Parking and Loading***

***34-5 Parking Requirements Table***

Other Uses	In order to maintain the purpose and intent of these regulations the Commission shall determine the number of parking spaces to be provided in connection with any use not included in this Section. <u>Such determination may be done only pursuant to approval of a Special Permit.</u>
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***34-8 Joint Parking approval by Special Permit***

The Commission may reduce the parking requirements pursuant to approval of a Special Permit for churches and other places of worship, places of public assembly, theaters, non-profit clubs, bowling alleys, cafes, taverns, restaurants, night clubs, dwelling units, and other similar uses where such uses will be generating a demand for parking during periods when other uses are not in operation subject to the following conditions:

- 34-8.1 The reduction of parking requirements of any such use shall not exceed 50% of its parking requirements, or the number of spaces by which it fails to meet its parking requirements, whichever is less.
- 34-8.2 Joint off-street parking facilities provided by another building or use shall be within five hundred (500) feet of applicant's building or use and on the same lot therewith.
- 34-8.3 The applicant shall demonstrate that there is no substantial conflict in the operating hours of the two buildings or uses for which joint parking facilities are proposed and that parking on the street will not occur.

***34-11.2 Curb Cuts and Access Drives***

Entrances and exits to a parking lot should be placed as far as possible from intersections in order to provide maximum storage and maneuver space. Combined entry-exit points should preferably be located at mid-site. When entrances and exits are separate, the entrance should be placed as far upstream in the site frontage as possible and the exit should preferably be placed in the downstream portion of the site. There shall be a maximum of two (2) curb cuts per site, unless a third emergency vehicle access is required for public safety.

- 34-11.2.1 Curb cuts shall conform to the Town Driveway Ordinance in Town Roads and any State Regulations that may apply on State Highways and preliminary approvals and/or recommendations shall be secured prior to Planning and Zoning Commission review of the project. Final authorization from the appropriate State or Town agencies shall be secured prior to the issuance of a Zoning Permit.
- 34-11.2.2 Access drives should cross sidewalks and enter streets at right angles. Parking areas should be designed to prevent backing into streets and across sidewalks along street frontages.
- 34-11.2.3 Clear unobstructed visibility shall be provided for a minimum distance of one hundred fifty (150) feet in each direction for egress at all driveways, as measured from a point ten (10) feet back from the traveled portion of the road (edge of pavement) to the center line of the street. Clear unobstructed visibility shall also be provided for a minimum distance of one hundred fifty (150) feet for the left turn ingress as measured in a straight line along the centerline of the roadway. Said sight lines may be increased by the Town Engineer based on street alignment, gradients, traffic volumes and speed limits. For driveways located on a site that is the subject of a Site Plan review pursuant to §44 and also subject to a Traffic Impact Analysis pursuant to §44-2.5, the minimum sight distance shall be based upon the design procedures set forth in the Connecticut Department of Transportation, Highway Design Manual, Section 11-2, (as amended). The Design Speed for calculation of sight distance shall be the 85<sup>th</sup> percentile speed at each site driveway, as defined in section 6-2.01(7) of the Highway Design Manual, and as determined by field measurements. Also, for sites where a Traffic Impact Analysis is required the sight distance shall be measured at a point fifteen (15) feet back from the traveled portion of the road (edge of pavement) to the center line of the street. However, the Commission may reduce the point of sight distance measurements to ten (10) feet if there is a potential loss of street trees.

***The following is from §44 SPECIAL PERMIT AND/OR SITE PLAN DOCUMENTS, STANDARDS AND OBJECTIVES***

**44-2.5 Requirements for Traffic Impact Analysis**

A traffic impact analysis submitted by a recognized traffic engineer shall be required for any project containing either fifteen (15) or more new residential dwelling units, forty (40) or more parking spaces in a new or expanded parking lot or any project over ten thousand (10,000) square feet twenty thousand (20,000) or more square feet of gross floor area in a new or expanded building or group of buildings. The requirements listed above shall be applicable to any site or adjacent and interrelated sites that exceed these thresholds over a five (5) year period.

The traffic impact analysis shall include at least the following information, unless approved by the Planning and Zoning Commission to waive any of these requirements:

- Clear definition of the project area and study limits agreed upon by the Planning and Zoning Department or Planning and Zoning Commission;
- past and present roadway conditions,

- existing roadway capacity, including Level of Service (LOS), vehicle delay (seconds per vehicle), average (50<sup>th</sup> percentile) and maximum (95<sup>th</sup> percentile) queue lengths (feet), and volume to capacity ratios,
  - traffic accidents based on the most recent three-year period,
  - consideration of background development projects that may have significant impact to the traffic analysis,
  - trip generation associated with the proposed project during the peak periods of adjacent street traffic, other project peak hours such as mid-day, mid-afternoon, evening and/or weekends,
  - trip distribution characteristics of the proposed project based on a knowledge of existing travel patterns, population and employment zones, and other determining factors,
  - existing and projected traffic volumes (ADT, Peak A.M. and Peak P.M.) unless there are other projected peak hours of the proposed or expanded use, such as mid-day, mid-afternoon, evening and/or weekends,
  - existing and projected levels of service, vehicle delay, volume/capacity ratios, and queue lengths,
  - intersection sight distance at the site driveways based upon the criteria outlined in Section (b) below,
  - conduct of a speed study on an adjacent street to the project site to determine an 85<sup>th</sup> percentile speed for intersection sight distance requirement calculations or submission of speed data sufficient to calculate the 85<sup>th</sup> percentile speed from the Connecticut Department of Transportation gathered within the past eighteen (18) months,
  - description of planned traffic improvements to mitigate the adverse impacts caused by the proposed project (Section (d)),
  - consideration of access management improvements to consolidate closely spaced driveways, provide driveway separation, use of existing traffic signals to manage access, and minimize left turn conflicts as stated in Section (a) and (c),
  - consideration of pedestrian and bicycle accommodations as part of the transportation improvement plan,
  - description of trip reduction and travel demand management (TDM) options proposed by the applicant which can be applied and committed by the applicant.
- (a) The project shall be designed to minimize left turn movements or conflicts on the street at the site for traffic entering and exiting the site.
- (b) Driveways shall be designed to achieve clear sight lines based on ~~a minimum thirty-five (35) mph design speed~~ the design procedures set forth in the Connecticut Department of Transportation, Highway Design Manual, Section 11-2, (as amended). The Design Speed for calculation of sight distance shall be the 85<sup>th</sup> percentile speed at each site driveway, as defined in section 6-2.01(7) of the Highway Design Manual, and as determined by field measurements. Driveways ~~and~~ shall be constructed in a manner that supports prohibited left turns from the site where applicable.
- (c) The project design shall consider interconnecting parking areas, shared common access drives and future access connections to adjacent property.

- (d) Where it is projected that the additional traffic resulting from the project will exceed a volume/capacity ratio of 0.8 at the intersection, reduce the Level of Service to "D" or below for the intersection as a whole, or further reduce the Level of Service when it is already at "D" or below for the any individual movement or approach to the intersection as a whole, 95<sup>th</sup> percentile queue length on any movement exceeds the available storage length and creates an operational problem at the intersection, the Commission may at its discretion require that:
- (1) provision be made by the applicant for the improvement of said inadequate condition; or
  - (2) the proposed project be otherwise reduced or modified to mitigate the adverse impacts.





# GBRC

Greater Bridgeport Regional Council

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August 6, 2013

Ms. Catherine Walsh, Chair  
Planning and Zoning Commission  
Town of Westport  
Westport Town Hall  
110 Myrtle Avenue  
Westport, Connecticut 06880

Re: Zoning Text Amendments, Traffic analysis and safety requirements

Dear Ms. Walsh,

We are in receipt of the above referenced referral dated August 1, 2013.

The Greater Bridgeport Regional Council reviewed the proposed amendments to the Town's Zoning Regulations regarding requirements for Traffic Impact Analyses and parking. No regional impact is anticipated from this change.

If you have any questions, please do not hesitate to contact me at 203-366-5405.

Sincerely,

Brian Bidolli  
Executive Director

cc: Mr. Larry Bradley, Planning & Zoning Director, Town of Westport